

**TOWN OF HAVERHILL
MINUTES
SPECIAL MAGISTRATE
HEARING
November 13, 2024**

Present: Special Magistrate William P. Doney, Code Enforcement Officer Joseph Petrick, Town Attorney John Foster, Town Administrator Tracey Stevens, Deputy Town Clerk Jean Wible, Respondent Garfield Stephenson, Respondent David Abdo, Alex Allen on behalf of Respondent Rosa Allen, Vivian Giraldo and contractor Theodore Obermeyer on behalf of Respondent Dalu Vasu Hiranandani.

I. CALL TO ORDER:

The meeting was called to order at 9:02 A.M by Special Magistrate William P. Doney.

II. APPROVAL OF MINUTES:

Special Magistrate Doney approved the minutes of October 2, 2024.

III. SWEARING IN OF WITNESSES:

Special Magistrate Doney administered Oath to Code Enforcement Officer Joseph Petrick, Deputy Town Clerk Jean Wible, Respondent Garfield Stephenson, Respondent David Abdo, Alex Allen on behalf of Respondent Rosa Allen, Vivian Giraldo and contractor Theodore Obermeyer on behalf of Respondent Dalu Vasu Hiranandani.

CODE ENFORCEMENT REPEAT VIOLATION, FINE ASSESSMENT AND STATUS HEARINGS:

CASE NO. 24-00071

RENE MARC M & CLERVILUS MARIE Y

839 PALO VERDE CT

HAVERHILL, FL 33415

PCN: 22-42-43-35-19-004-0040

LEGAL DESCRIPTION: WOODLAND TERRACE PL 3 LT 4 BLK 4

NATURE OF VIOLATION: Chapter 38 Sec. 38-9 Parking of vehicles and boats in residential districts Chapter 58 Article IX Division 14 Sec. 58-584 Maintenance and

appearance standards for all real property Chapter 14 Sec. 14-7 Unsafe buildings and structures

Code Enforcement Officer (CEO) Petrick testified that this Fine Assessment case was in reference to a Single-Family property that was found in violation at the October 2, 2024, Special Magistrate hearing in violation of Town Code Section 38-9 for unregistered and inoperable vehicles on the property that are being repaired on the property, a large flatbed tow truck being stored on the property; Town Code Section 58-584 for trash, debris and auto parts on the property, weeds and overgrowth of vegetation particularly on the fence into the roadway and Town Code Section 14-7 for a shed or building structure on the property without a permit. He stated that on October 17, 2024, the Special Magistrate order was sent to the Respondent via certified mail to the address listed on the PBC Property Appraiser's website, the property was posted, and the notice was posted on the Code Enforcement board at Town Hall. The Special Magistrate order required compliance by November 2, 2024, or a two hundred (\$200.00) dollar per day fine may be assessed. After the Respondent received the orders, he met with CEO Petrick at Town Hall where they discussed the violations, today's hearing, the Code Enforcement process and ways to come into compliance.

CEO Petrick entered a series of photographs of the violations into evidence.

CEO Petrick stated that as of today, the property remained in violation. He stated the Town was requesting a two hundred (\$200.00) dollar per day fine be assessed until compliance is achieved. The cost to bring this case before the Special Magistrate was \$18.97.

ORDER

It is the Order of the Special Magistrate that a Fine of Two Thousand Two Hundred Dollars (\$2200.00) is hereby assessed at a daily amount of Two Hundred Dollars (\$200.00) per day for the violations which have existed on the property from November 3, 2024, through November 13, 2024, a period of eleven (11) days and such amount will continue to accrue at the rate of Two Hundred Dollars (\$200.00) per day until compliance is achieved. In addition, costs are assessed in the amount of \$18.97.

CASE NO. 24-00089

1115 STALLION LLC

560 BETHANY LANE

HAVERHILL, FL 33415

PCN: 22-42-43-35-05-025-0030

LEGAL DESCRIPTION: HAVERHILL RIDING ESTATES W 20 FT OF N ½ & ½ OF S ½ OF TR 25

NATURE OF VIOLATION: Chapter 58 Article IX Division 14 Sec. 58-584 Maintenance and appearance standards for all real Property Chapter 38 Sec. 38-9 Parking of vehicles and boats in Residential districts

Code Enforcement Officer (CEO) Petrick testified that this Fine Assessment case was in reference to a lot with a vacant house on it that was found in violation of Town Code Section 58-584 for vegetation overgrowth, trash and debris, tarp structures, fence in disrepair, auto parts and auto equipment stored on the property, Town Code Section 38-9 for unregistered/inoperable vehicles on the property, vehicles parked on the grass, weeds and dirt which are unapproved surfaces. He stated that it also appeared that vehicles are being worked on, on the property. He stated the Special Magistrate orders from September 11, 2024, were sent to the Respondent via certified mail to the address listed on the PBC Property Appraiser's website, Sun Biz records, the property was posted, and the notice was posted on the Code Enforcement board at Town Hall. He stated that after the order was issued, he spoke with the Respondent Garfield Stephenson and discussed the hearing coming up and ways to bring the property into compliance. The order gave the Respondent until October 11, 2024, to comply or a two hundred (\$200.00) dollar a day fine may be assessed.

CEO Petrick entered a series of photographs of the violations into evidence.

CEO Petrick stated that as of today, the property remained out of compliance. The Town was requesting a fine of two hundred (\$200.00) dollars per day be assessed until compliance was achieved. The cost to bring this case before the Special Magistrate was \$20.69.

Respondent Garfield Stephenson testified that he only learned of the code violations a couple of months ago when his realtor, Donald Anderson appeared on his behalf at the September 11, 2024, Special Magistrate hearing. He stated that was when he began trying to clean up the property. He stated he went to the property and found the gates were locked; therefore, he could not access the property to address the violations. He stated that he has squatters on the property and has contacted the Palm Beach County Sheriff's Office (PBSO) for their help but has had no luck. He was told that he would have to go through the eviction process. He stated he has someone currently working on the eviction process. He said that regarding the vegetation, he purchased the lot with a lot of existing vegetation on it. He has plans to develop the lot which would result in removing most of the vegetation. He requested a couple of weeks' extension to take care of everything.

CEO Petrick stated that the case has been going on since March 26, 2024, and he only heard from Mr. Stephenson a couple of weeks ago for the first time. He stated that many

attempts to reach the Respondent had been made by notices being sent via certified mail, emails, and telephone calls but the voicemail box was not set up. He felt that there had been ample time to resolve these issues and to at least allow him on the property to inspect. CEO Petrick stated he would leave the decision of granting an extension to the Special Magistrate.

ORDER

It is the Order of the Special Magistrate that a Fine of Six Thousand Six Hundred Dollars (\$6600.00) is hereby assessed at a daily amount of Two Hundred Dollars (\$200.00) per day for the violations which have existed on the property from October 12, 2024, through November 13, 2024, a period of thirty-three (33) days and such amount will continue to accrue at the rate of Two Hundred Dollars (\$200.00) per day until compliance is achieved. In addition, costs are assessed in the amount of \$20.69.

CASE NO. 24-00051

CHENOWETH MICHELLE

4830 RICHMOND MEWS

HAVERHILL, FL 33415

PCN: 22-42-43-36-21-000-0220

LEGAL DESCRIPTION: BRIARWOOD NORTH LT 22

NATURE OF VIOLATION: Chapter 58 Article IX Division 14 Sec. 58-584 Maintenance and appearance Standards for all real property

Code Enforcement Officer (CEO) Petrick testified that this Fine Assessment case was in reference to a Single-Family property found in violation at the September 11, 2024, Special Magistrate hearing of Town Code Section 58-584 for having a roof in disrepair. He stated the Special Magistrate order required compliance by October 11, 2024, or a fifty (\$50.00) dollar per day fine may be assessed. The order was sent to the Respondent on September 13, 2024, via certified mail to the address listed on the PBC Property Appraiser's website, the property was posted, and the notice was posted on the Code Enforcement board at Town Hall. CEO Petrick stated that as of today, he had not heard from the Respondent and the property remained out of compliance.

CEO Petrick stated the Town was requesting a fine of fifty (\$50.00) dollars per day be assessed. The cost to bring this case before the Special Magistrate was \$14.87.

ORDER

It is the Order of the Special Magistrate that a Fine of One Thousand Six Hundred Fifty Dollars (\$1650.00) is hereby assessed at a daily amount of Fifty Dollars (\$50.00) per day for the violations which have existed on the property from October 12, 2024, through November 13, 2024, a period of thirty-three (33) days and such amount will continue to accrue at the rate of Fifty Dollars (\$50.00) per day until compliance is achieved. In addition, costs are assessed in the amount of \$14.87.

CASE NO. 24-00016

HIRANANDANI DALU VASU

4631 BELVEDERE ROAD

HAVERHILL, FL 33415

PCN: 22-42-43-25-01-000-0161

LEGAL DESCRIPTION: BELVEDERE ESTATES LT 16(LESS E 5 FT) & WESTWOOD ADD NO 1 PB4P73 LTS 34 & 35 (LESS S 10 FT BELVEDERE RD RW)

NATURE OF VIOLATION: Chapter 16 Article II Sec. 16-6 License and business tax receipt required for rental dwellings

Code Enforcement Officer (CEO) Joseph Petrick testified that this was a Fine Assessment case in reference to a Single-Family property that was found in violation of Town Code Section 16-6 at the July 17, 2024, hearing for not having a rental license. He stated the Respondent could not obtain the rental license due to extensive work that was done to the house without obtaining a building permit from the Town. He stated that the order from the July 17, 2024, hearing was sent to the Respondent via certified mail to the address listed on the PBC Property Appraiser's website, the property was posted, and the notices were posted on the Code Enforcement board at Town Hall. The order gave the Respondent until October 17, 2024, to comply or a one hundred (\$100.00) day fine may be assessed. He stated that a building permit application was submitted, and the Town Building Official issued the permit on October 31, 2024, and as a result, of the permit being obtained, the property passed inspection on that date.

CEO Petrick stated the property was out of compliance for fifteen (15) days past the date indicated on the Special Magistrate order.

CEO Petrick stated the cost to bring this case before the Special Magistrate was \$14.00. The cost of \$36.88 from the last hearing remained outstanding, bringing the total due to \$50.88. A fine of up to fifteen hundred (\$1,500) dollars a day may be assessed.

The Respondents contractor, Theodore Obermeyer testified on the Respondents behalf stating that he has been trying to obtain the Town building permit application but had to go through the PBC Health Department to obtain an approved permit because a bathroom was installed. He stated that took a lot of time. He explained that once the permit application was submitted to the Town and after being reviewed by the Building Official, the bathroom, already installed in the garage without a permit, was against Town Code and had to be removed therefore the permit application was denied. He stated that after meeting with an architect, he re-submitted another permit application to turn the garage into a storage unit but was told by the Town Building Official that per Town Code, you must have the available space of 10ftx20ft with zero encumbrances. He stated the Respondent decided to demo the work that had been done without a permit in the garage and Mr. Obermeyer resubmitted a demolition permit application on October 24, 2024, and it was approved by the Building Official on October 31, 2024. Mr. Obermeyer stated that they tried to come into compliance by the date required but due to unexpected setbacks, that wasn't possible. He stated the Respondent would like to suggest a fine reduction to four hundred (\$400.00) dollars.

CEO Petrick stated the Town offered a fifty percent (50%) reduction to the Respondent prior to the hearing which calculated to seven hundred and fifty (\$750.00) dollars.

ORDER

It is the Order of the Special Magistrate that a Fine of Seven Hundred Fifty Dollars (\$750.00) is hereby assessed for the violations which have existed on the property from October 18, 2024, through October 31, 2024. In addition, costs are assessed in the amount of \$14.00.

CODE ENFORCEMENT VIOLATION HEARINGS:

CASE NO. 24-00090

MARENT INVESTMENTS LLC

5220 CLUB ROAD

HAVERHILL, FL 33415

PCN: 22-42-43-35-28-000-0010

LEGAL DESCRIPTION: BETHANY ESTATES LY 1

NATURE OF VIOLATION: Chapter 16 Article II Sec. 16-6 License and business tax receipt required for rental dwellings

Code Enforcement Officer (CEO) Joseph Petrick testified that this case was in reference to a Single-Family property that was issued a Courtesy Notice via regular mail on July 22, 2024, for not having a rental license in violation of Town Code Section 16-6. The courtesy letter required compliance by August 12, 2024. He stated a Notice of Violation and Notice of hearing was issued and sent to the Respondent on August 19, 2024, via certified mail to the address listed on the PBC Property Appraiser's website, the property was posted, and the notice was posted on the Code Enforcement board at Town Hall.

CEO Petrick stated that as of today, the property remained out of compliance. The Town was requesting compliance within thirty (30) days or a fine of one hundred (\$100.00) dollars per day be assessed until compliance was achieved. The cost to bring this case before the Special Magistrate was \$14.22.

ORDER

It is the Order of the Code Enforcement Special Magistrate that Respondent shall comply with the above-referenced Code Section by December 13, 2024. If Respondent does not comply within the time specified, a fine in an amount not to exceed of One Hundred (\$100.00) Dollars per day may be imposed for each day the violations continue to exist. In addition, costs in the amount of \$14.22 are assessed.

NOTICE OF HEARING

In the event Respondent does not fully comply with the Town's Code of Ordinances within the time specified, a Fine Assessment Hearing shall be held before the Special Magistrate on January 28, 2025, at 9:00 a.m. at Town Hall, 4585 Charlotte Street, Haverhill, Florida to determine whether Respondent continues to be in violation of the above-referenced Code sections and to consider the assessment of a fine.

CASE NO. 24-00097

FALLAS JEANETTE & FALLAS JORGE

1131 PARKVIEW PLACE

HAVERHILL, FL 33417

PCN: 22-42-43-26-24-000-0130

LEGAL DESCRIPTION: PARKVIEW PLACE LT 13

NATURE OF VIOLATION: Chapter 58 Article IX Division 14 Sec. 58-584 Maintenance and appearance standards for all real property

Code Enforcement Officer (CEO) Petrick stated that this case was in reference to a Single-Family property that had a roof in disrepair for an extended period of time (at least two years) in violation of Town Code Section 58-584. He stated that after consulting with Town Attorney John Foster, since the roof was already repaired, the Respondent was no longer in violation of Town Code Section 58-584. However, the roof repair was done without first obtaining a building permit from the Town so the Respondent would have to be cited for work done without a permit. He stated that at this time, the Town would like to withdraw this case.

Special Magistrate Doney stated this case will be withdrawn by the Town with the right to proceed with a new code violation for the repairs done without obtaining a building permit from the Town.

CASE NO. 24-00069

FLORESTAL BOUJHONY & PHILIPPE CLAUDY J

5315 ONTARIO ROAD

HAVERHILL, FL 33415

PCN: 22-42-43-35-15-000-0160

LEGAL DESCRIPTION: TOWNER PARK REPL LT 16

NATURE OF VIOLATION: Chapter 38 Sec. 38-9 Parking of vehicles and boats in residential districts Chapter 14 Sec. 14-7 Unsafe buildings and structures Chapter 58 Article IX Division 14 Sec. 58-584 Maintenance and appearance standards for all real property

Code Enforcement Officer (CEO) Petrick testified that this case was in reference to a Single-Family property that was in violation of Town Code Section 38-9 for unregistered/inoperable vehicles on the property, vehicles parked on the grass, and prohibited vehicles, trailers, etc. parked in front of the house, Town Code Section 14-7 for an addition added to the house without obtaining building permits, and Town Code Section 58-584 for excessive outdoor storage, trash and debris on the property. He stated a Courtesy Notice was issued to the Respondent on June 26, 2024, giving thirty (30) days to comply. He stated that on July 11, 2024, he spoke with the Respondent and discussed the violations. At that time, the Respondent requested more time to comply, and they agreed on a September 2, 2024, compliance date. He stated that as of September 3, 2024, he had not heard from the Respondent and issued a Notice of Violation and Notice of Hearing that were sent to the Respondent on August 19, 2024, via certified mail to the address listed on the PBC Property Appraiser's website, the property was posted, and the notice was posted on the Code Enforcement board at Town Hall. He stated that after the notices were issued, had had spoken with the Respondents son and discussed the code enforcement process.

CEO Petrick entered photographs of the violations into evidence.

CEO Petrick stated that as of today, the property remained out of compliance. The Town was requesting compliance within thirty (30) days or a fine of one hundred (\$100.00) dollars per day be assessed until compliance was achieved. The cost to bring this case before the Special Magistrate was \$32.59.

ORDER

It is the Order of the Code Enforcement Special Magistrate that Respondents shall comply with the above-referenced Code Sections by December 13, 2024. If Respondents do not comply within the time specified, a fine in an amount not to exceed of One Hundred (\$100.00) Dollars per day may be imposed for each day the violations continue to exist. In addition, costs in the amount of \$32.59 are assessed.

NOTICE OF HEARING

In the event Respondents do not fully comply with the Town's Code of Ordinances within the time specified, a Fine Assessment Hearing shall be held before the Special Magistrate on January 28, 2025, at 9:00 a.m., at Town Hall, 4585 Charlotte Street, Haverhill, Florida to determine whether Respondents continue to be in violation of the above-referenced Code sections and to consider the assessment of a fine.

CASE NO. 24-00095

ABDO DAVID & MORALES-ABDO CARMEN S

791 N. HAVERHILL ROAD

HAVERHILL, FL 33415

PCN: 22-42-43-35-05-035-0000

LEGAL DESCRIPTION: HAVERHILL RIDING ESTATES TR 35

NATURE OF VIOLATION: Chapter 16 Article II Sec. 16-6 License and Business Tax Receipt required for Rental Dwellings

Code Enforcement Officer (CEO) Petrick testified that this case was in reference to a Single-Family residence that did not obtain a rental license in violation of Town Code Section 16-6. He stated that a Courtesy Notice was mailed to the Respondent via regular mail on July 22, 2024, that required compliance by August 22, 2024. He stated that on August 16, 2024, he had not heard from the Respondent at which time he issued a Notice of Violation and Notice of Hearing via certified mail, to the address listed on the PBC Property Appraiser's website, the property was posted and the notices were posted on the

Code Enforcement board at Town Hall. The certified mail receipt for both notices was signed for on November 4, 2024. CEO Petrick stated that on September 5, 2024, he spoke with the Respondent on the phone and discussed the violation and ways to come into compliance. He stated that on October 28, 2024, he spoke with the Respondent again and discussed today's hearing and scheduled a rental inspection for November 12, 2024. On November 12, 2024, CEO Petrick met with the Respondent at the property to perform a rental inspection but due to several code violations (some extensive), the rental inspection failed. He stated that at that time, he and the Respondent agreed on Ninety (90) days to comply

CEO Petrick stated the Town was requesting ninety (90) days to comply or a fine of one hundred (\$100.00) dollars per day be assessed. The cost to bring this case before the Special Magistrate was \$14.27.

Special Magistrate Doney asked the Respondent if the Town's request to come into compliance by ninety (90) days was acceptable to him, he replied yes.

ORDER

It is the Order of the Code Enforcement Special Magistrate that Respondents shall comply with the above-referenced Code Section by February 15, 2025. If Respondents do not comply within the time specified, a fine in an amount not to exceed of One Hundred (\$100.00) Dollars per day may be imposed for each day the violations continue to exist. In addition, costs in the amount of \$14.27 are assessed.

NOTICE OF HEARING

In the event Respondents do not fully comply with the Town's Code of Ordinances within the time specified, a Fine Assessment Hearing shall be held before the Special Magistrate on March 25, 2025, at 9:00 a.m. at Town Hall, 4585 Charlotte Street, Haverhill, Florida to determine whether Respondents continue to be in violation of the above-referenced Code sections and to consider the assessment of a fine.

CASE NO. 24-00093
ALLEN ANTHONY & ROSA TRUST
ALLEN ALEXANDER S TR
ALLEN ROSA D TR
1227 PARK LANE

HAVERHILL, FL 33415

PCN: 22-42-43-25-00-000-7490

LEGAL DESCRIPTION: 25-43-42, N 140 FT OF S 1073 FT OF E 312 FT OF W 654 FT OF W $\frac{3}{4}$ OF W $\frac{1}{2}$ OF SW $\frac{1}{4}$

NATURE OF VIOLATION: Chapter 16 Article II Section 16-6 License and Business Tax Receipt required for rental dwellings

Code Enforcement Officer (CEO) Petrick testified that the Respondents son, Alex Allen who was present today, requested a continuance until the January 28, 2025, Special Magistrate hearing as the Respondent, Mrs. Allen had a medical procedure and was unable to attend today's hearing.

ORDER CONTINUING HEARING

ORDERED that the hearing in this matter to consider whether Respondents are in violation of the above-referenced Code section and, if so, whether to impose a fine is hereby continued to be heard on January 28, 2025, at 9:00 A.M. at Town Hall, 4585 Charlotte Street, Haverhill, Florida.

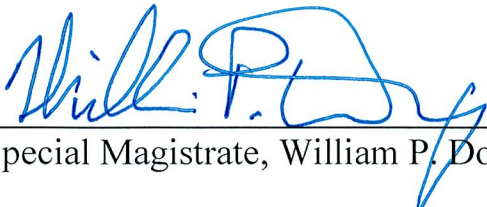
ADJOURNMENT

The hearing was adjourned at 9:51 A.M.

Minutes prepared by Deputy Town Clerk Wible and adopted by Special Magistrate Doney on December 11, 2024.



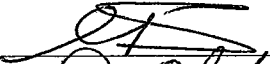


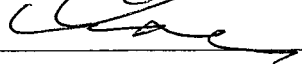
Jean F. Wible, Deputy Town Clerk



Special Magistrate, William P. Doney

SIGN IN SHEET

TOWN OF HAVERHILL
SPECIAL MAGISTRATE HEARING
WEDNESDAY, NOVEMBER 13, 2024

Name	E-Mail Address	Signature
Garfield Stephenson		
David Abdo	darmens@gmail.com	
Theodore Obermayer		
Catherine G. M. S. Vivian	vivianmag.net/journal	
Alex Allen	allenhealthsolutions@gmail.com	Alex Allen